(1) (16)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. NO. 1955 /2004

PETITIONER

Lekhram Agrawal
S/O Late Shri G.N. Agrawal
Aged about 71 years
R/o Bazar Para, Tahsil Bemetara
District Durg
(Chhattisgarh)

P.R. No. 1984/04 Presented by Shri Rajnish Dubey dated 09.07.04

VERSUS

RESPONDENTS

1. State of Chhattisgarh
Through the Secretary
Department of Law & Legislative Affairs,
D.K.S. Bhawan,
Mantralaya Raipur
(Chhattisgarh)

2. The Court Superintendent,
District & Session Judge,
Durg (Chhattisgarh)

RECEIVED A COPY (W) 9.7.04 Clerk to A G. Bilaspur

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS AND DIRECTIONS:-

शपथ आयुक्त बिलासपुर तहसील कोर्ट 9/7/04

1. **PARTICULARS OF THE PETITIONER :**

As stated above in the cause title.

2. **PARTICULARS OF THE RESPONDENTS :**

(42)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 955 04 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

1-12-2004

Shri Anand Kumar Tiwari, counsel for the petitioner.

Shri J. D. Bajpai, Govt. Advocate for the State.

The petitioner has preferred this petition under Article 226 of the Constitution of India being aggrieved by the order dated 29-6-2004 (Annexure-P/2) passed by the Law Department, State of Chhattisgarh and also by the order dated 7-8-2001 whereby the petitioner's licence to practice as Public Notary was renewed for 3 years instead of 5 years.

I have heard learned counsel for the parties.

Learned counsel for the petitioner submitted that vide Amendment Act, 1999 (Act No.36 of 1999) sub-section (2) of Section 5 of the Notaries Act, 1952, was amended with effect from 20th December 1999 which envisaged that renewal of the licence of the Notary should be for 5 years instead of 3 years. Prior to that as per the un-amended provision renewal was for 3 years, therefore, learned counsel submits that respondents Law Department ought to have renewed licence of the petitioner to practice as Public Notary for 5 years.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and also as per the amended provision of sub-section (2) of Section 5 of the Notaries Act, 1952,

GI.PRJ—FS/78 — 3/2004 —50,000.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	the Law Department ought to have renewed the licence for 5 years instead of 3 years vide order dated 7-8-2001. Therefore, the Law Department is directed to pass appropriate order in accordance with the amended provisions of sub-section (2) of Section 5 of the Notaries Act, 1952 w.e.f. 7-8-2001. With the direction aforesaid, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

Barve

GKPRJ—FS/78 —9/2000 —50,000.

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